

privilege, approved Feb. 2, 1856, on its second reading, taken up.

The following amendments proposed by the Judiciary Committee, were adopted:

1st. Insert the word "Judge" after the word "County," in line 6, section 3.

2d. Strike out "five" and insert "four" in line 9, section 4.

3d. In section 5, line 12, insert the word "or" between "Court" and "County," and strike out the words "Justice of the Peace or Mayor of any city or incorporated town."

4th. After the word "County" insert "Judge," in line 13, section 9.

5th. Strike out all of section 2 of the bill.

Senator Boyd moved to strike out from the bill "four hundred" and insert "six hundred."

Motion lost.

Senator Stell moved to amend by inserting the words "for money" after the word "games," in section 1st.

Motion laid upon the table, upon motion of Senator Guinn.

Senator Saufley moved to strike out "four hundred" and insert "two hundred and fifty."

The yeas and nays being called, upon motion of Senator Cook to table the proposed amendment, stood thus:

YEAS—Senators Blount, Boyd, Bumpass, Burney, Cook, Coppedge, Guinn, Nelson, Neyland, Randolph, Shannon and Truitt—12.

NAYS—Senators Braswell, Brown, Cooley, Dalrymple, Foscue, Jowers, Knox, Littleton, McDade, Parker, Record, Reed, Saufley and Yarbrow—14.

Motion lost.

Senator Reed moved to amend the amendment by inserting the words "specie, or its equivalent in currency."

Pending the adoption of the amendment,

Upon motion of Senator McDade, the Senate adjourned until Monday morning at 10 o'clock.

SENATE CHAMBER, }  
September 3, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Special message received from his Excellency the Governor.

Petition from citizens of Harris county, in the city of Houston, condemnatory of the course of Hon. J. T. Brady, member of the House of Representatives from Harris county, on the passage by the House of Representatives of a bill to allow a railroad to connect with all depots in the city of Houston, was read, and upon motion of Senator Burney the communication was referred to Committee on Internal Improvements.

Also, a memorial from the citizens of Harris county in reference to the proposed extension of the corporate limits of the city of Galveston.

Upon motion of Senator Foscue, it was referred to Committee on Internal Improvements.

Senator Burney presented a memorial from citizens of Bosqueville, McLennan county, asking that the sale of intoxicating liquors be prohibited within four miles of Bosque College.

Referred to Committee on Education.

Senator Dalrymple presented a petition from sundry citizens of Salado, in Bell county, asking the passage of a law prohibiting the sale of intoxicating liquors within six miles of Salado College.

Petition referred to Committee on Education.

Senator Truitt, Chairman of Committee on Private Land Claims, made the following report:

The Committee on Private Land Claims, to whom was referred a bill entitled "An Act for the relief of Wm. Berryman," have had the same under consideration, and have instructed me to report the same back to the Senate and recommend that it do not pass.

Respectfully submitted.

JAMES TRUITT, Chairman.

Report received, to come up in order.

Senator Record, Chairman of Committee on Judiciary, reported a bill to relieve John Henry Bullard from the disability of minority, and recommend its passage.

Report received, to come up in order.

Senator Neyland, Chairman of Committee on Engrossed Bills, reported as correctly engrossed a bill to incorporate the San Antonio Commercial Club.

Report accepted.

Senator Cook offered the following resolution:

*Resolved*, That the Committee on Freedmen be instructed to

take under consideration an official letter, written by Brevet Major General Kiddoo, Assistant Commissioner of the Freedman's Bureau for the State of Texas, under date Aug. 8, 1866, and addressed to his chief, Maj. Gen. Howard, at Washington, D. C.

That the attention of said committee be specially directed to that portion of said letter which reflects so wrongfully and injuriously upon our citizens, as the persecutors and murderers of freedmen. And that said committee report resolutions expressive of the sense of this body concerning said letter, and the serious injury which its uncontradicted statements are calculated to bring upon our State and its people.

Resolution adopted.

Upon motion of Senator Burney, the Special Message from his Excellency the Governor was taken up and read:

EXECUTIVE OFFICE, }  
AUSTIN, Sept. 3, 1866. }

*Gentlemen of the Senate and House of Representatives :*

In the preparation of my regular communication, want of time precluded the presentation of several subjects of importance, to which I now propose to call your attention.

#### AMENDMENT OF TAX LAWS.

By reference to the report of the Comptroller it will be seen, that near one-third of the patented land of the State is not rendered for taxation.

Such laws should be passed as will not only secure the back taxes on these lands, but will insure the future collection of the same.

The Comptroller is prepared to submit such plan as will in my opinion, prove successful, and I suggest that the appropriate committee confer with that officer in maturing the necessary laws upon the subject of taxation.

#### RECEIPTS AND EXPENDITURES OF PROVISIONAL GOVERNMENT.

Accompanying this you will find statements from the Comptroller upon several important subjects. One exhibits the receipts and expenditures of the Provisional Government from the 13th October, 1865, to the 13th August, 1866. The total receipts going to the State revenue account, amount to \$344,-

446 50. The expenditures, amount to \$233,293 80. There is still due the Provisional District Judges and Attorneys, and to Clerks and Sheriffs, for fees in felony cases, about \$15,000. After payment of these officers there will remain in the Treasury, of funds derived from the Provisional Government, about \$96,000.

It is proper to observe, that of the funds going into the Treasury during the period mentioned, there was derived from taxation, \$227,197 64, and of this amount \$4,876 59 was specie. The remainder of the receipts accrued principally from the sale of United States five per cent. bonds, and coupons. The statement of the Comptroller will explain fully the sources from which the various amounts paid into the Treasury were derived, and also furnish satisfactory information in regard to the warrants drawn and on what account, by that officer, and paid by the Treasurer.

#### PUBLIC DEBT.

I especially call your attention to the statements showing the amount and character of the indebtedness of the State. By the action of the Convention all the outstanding ten per cent. warrants, and State bonds issued for services rendered, or expenses incurred, since the 28th January, 1861, are repudiated.

To a proper understanding of this question it must be kept in mind, that under a previous law, parties who held ten per cent. warrants were permitted to return them into the Treasury for cancellation, and to receive eight per cent. State bonds in their stead. About \$16,000 in principal and interest were thus absorbed. A subsequent law authorized the funding of all kind of outstanding warrants, including such as were issued prior to the 28th January, 1861, as well as those after that time. Under this law 294 bonds of one thousand dollars each have been issued. Of these 294 bonds, it is estimated that about the sum of \$92,000 of the ten per cent. warrants, which are acknowledged by the Convention as a subsisting debt against the State, have been absorbed.

It will also be seen, by reference to the accompanying statements, that ten per cent. warrants amounting to \$217,469 51, were cancelled, and non-interest warrants issued in the place thereof.

Therefore, your honorable body will at once see the necessity that exists of calling in every class of this outstanding debt—the bonds ten per cent. and non-interest warrants—in order that the portion of them acknowledged by the Ordinance of the Con-

vention may be ascertained, and some provision made for funding and payment of interest.

From the best data I can obtain I suppose the amount that will have to be provided for will not exceed \$400,000. I recommend the appointment of an Auditor, who, in conjunction with the Comptroller, should act as a Board to determine the valid claims against the State. And, in this connection, I suggest the passage of a law requiring the holders of each class of the liabilities to which reference is made to present them within a given time for auditing, that the State may ascertain the amount of indebtedness, and place the same in such position that provision may be made for the payment of the principal and interest thereof.

I believe it would be best to authorize the Auditorial Board to issue State bonds in amounts of one hundred dollars and upwards, but always preserving even numbers for all that class of debt recognized as valid; the bonds to bear 8 per cent. interest, payable semi-annually in specie. I know of no other means that can be successfully resorted to in order correctly to ascertain the debt, except through the operations of an Auditorial Board; and the system of funding in eight per cent. bonds, I am clearly of opinion is best.

The action of the Convention in repudiating the civil debt created during the war, was, in my judgment, an error, and will greatly effect the credit of the State.

For this, as well as other proper reasons, every effort should be made by the Legislature to restore, and bring to the highest possible standard, the State credit.

By funding the outstanding debt, allowing the bonds to run for ten years, redeemable earlier, at the option of the State, with 8 per cent. interest, promptly paid, and its payment provided for by the levy of a special tax to meet the interest and absorb a certain amount of the principal every year, or by creating a sinking fund that will discharge the whole amount when due, we can make Texas bonds as good, and as eagerly sought after by those wishing to invest, as any State bonds ever issued.

It has been suggested that the outstanding warrants can soon be absorbed, by receiving them for taxes. This is true, but it is not proper to authorize it, until they have been passed upon by authority competent to determine their character and validity.

The authorizing of their payment for taxes would greatly derange the monied operations of the State; but if you agree with me as to the propriety of funding, I would advise the reception of the bonds and matured coupons in payment for lands

or land scrip, at moderate prices, and making the matured coupons also receivable for taxes and all Government dues.

I have discussed this question at some length, because I am impressed with the necessity of making an effort at the earliest moment for protecting and elevating the credit of the State.

#### REVISION OF THE LAWS.

By reference to an act of the Legislature of May 27th, 1864, it will be seen that a revision of the laws was provided for. Under this act Gov. Murrah appointed Judge L. A. Thompson, of Galveston, to perform the work, and I learn that he has made some progress. I desire that you will take such action in regard thereto as you may deem proper.

Connected with the subject of the revision of the laws, it is proper for me to say, that I have received from George W. Paschal, Esq., a large number of the proof sheets of a Digest, prepared by him, of the laws of this State, with notes on the decisions of the Supreme Court. Mr. Paschal informs me that his work will soon be out. I have not had time to bestow careful attention upon that portion which is sent, but from a cursory examination given it some years ago, from the opinions of a number of eminent legal gentlemen, the well-known ability and industry of the author, and the length of time he has been engaged upon this work, I am satisfied it will prove a great acquisition, and I recommend it to your notice.

I am not advised how far the plan of this work and that being prepared by Mr. Thompson, will conflict, and I respectfully request that the subject be referred to your appropriate committees. It is highly important to the interests of the people, owing to the imperfections which exist in our present Digests, that a complete revision of the laws be made, and speedily distributed; and if the book of Mr. Paschal is as valuable as it is represented to be, it may be well in any event, that the State shall subscribe for a sufficient number of copies to supply such State and county officers as are connected with the administration of the laws. This will enable you, without detriment to the interest of the State, to enlarge or modify the labor upon which Mr. Thompson is engaged, and give him greater time for its completion.

#### MR. SAYLES' TREATISE.

Accompanying I also transmit to you a communication received from John Sayles, Esq., with a synopsis of the contents of a Treatise prepared by him upon the "civil jurisdiction of Jus-

tices of the Peace and County Courts in the State of Texas," together with the opinion of several eminent jurists who have examined the manuscript. I do not doubt that it will be of great advantage to the class of officers for whose benefit it is intended, as well as of great service to the public. I recommend that an appropriation be made of sufficient amount to enable the State to supply a number of copies to each county.

#### PUBLICATION OF DECISIONS OF SUPREME COURT.

So great a length of time has elapsed since any of the decisions of the Supreme Court have been published, that it becomes necessary, you shall examine into the subject and provide a suitable appropriation for that purpose.

I recommend, on the score of economy, that these decisions should be condensed, or, that only such should be published as are of a leading or important character.

Your Judiciary Committees, however, will be prepared to present a better plan than any I can suggest. In legislating upon this subject, you will have to take into consideration the increased cost for such publication, which I learn is much greater than formerly.

#### MILITIA.

Proper and efficient laws for the organization of the militia should engage your attention. I presume the act of Feb. 14, 1860, is still in force, but it is cumbrous, and in my judgment needs revision.

#### SCHOOL FUND AND RAILROAD BONDS.

Under the old Constitution, one-tenth of the annual revenue derivable from taxation went into the common school fund. The amendment to the constitution on the subject of education abolished this provision.

There is a doubt in the mind of the Comptroller as to his duty in withholding one-tenth of the revenue from the school fund. I have no doubt as to the intention of the Convention, and in the absence of any enactment by the Legislature on the subject, should consider it the duty of the Comptroller to place the whole amount of taxes collected in 1866, and hereafter, to the State revenue account. I invite your attention to the question, in order that such measures may be adopted as will leave no room for doubt.

I transmit for your information, from the Treasurer, a statement of the amount of bonds due the common school fund from

the railroad companies of the State, that are so indebted; also, the amount of principal and interest heretofore paid, together with the amount of interest still due.

It will be observed that the bonds amount to \$1,816,500, and are entitled to a credit of \$35,520, paid in as a sinking fund under an existing law, leaving balance due on principal of the bonds \$1,753,317. The amount of interest paid is \$396,329 80, leaving interest due up to March 1, 1867, of \$403,572 77. The Treasurer's statements will explain the precise sum due from and paid by each company.

I invite your attention to the question whether the laws in force should be applied to the companies at once, or further time be given them for the payment of the amount which is due.

#### MINUTE MEN ON FRONTIER.

Governor Hamilton authorized the organization of three companies of minute men on the frontier. At the time of giving the permission, he distinctly announced to the counties where the organizations were allowed, that the parties performing the service would have to rely upon the Legislature to provide for the payment of the same. There is no question as to the necessity which called for this order. As to the character of service performed I am not advised, except by the statement of the officers of one of the companies, and the returns herewith enclosed for your investigation. I presume the service was rendered, and was as effectual as could be expected under the circumstances. The estimate made by the Comptroller to pay the same, amounts to \$4,503 50. I recommend an appropriation for that purpose.

#### MARRIAGE OF PERSONS OF COLOR.

I invite your attention to the subject of establishing by law proper domestic relations among persons of color. A law should be passed recognizing those who live together and are so reputed, as married, and future marriages should be in accordance with existing laws. The laws applicable to white people in regard to adultery should apply to them.

#### VAGRANCY, &C.

As regards vagrancy and apprentices, there should be adopted a more comprehensive system than is now afforded by our stat-



utes. The counties should be required to provide for such portion of their population, white and black, as are unable, from age or disability, to earn a living, when such persons have no parents or children able to care for them. A few persons of color have been reported as lunatics to the Superintendant of the Lunatic Asylum. Humanity requires legislation at your hands for their safe keeping and protection.

#### ALABAMA INDIANS, &C.

By an act of the Legislature, approved Dec. 30, 1861, the Governor is authorized to appoint an agent for the Alabama and C  oshattie Indians, at a salary not to exceed four hundred dollars per annum. If it is intended that this law shall be carried out, provision should be made to pay the agent contemplated therein, and the agent should be required to look after the interests of the Muscogees, who live in the same neighborhood.

I am not acquainted sufficiently with the condition of these Indians to offer any suggestions as to the propriety or necessity of keeping up this agency.

#### AGRICULTURAL COLLEGES.

By an act of Congress, passed July 2, 1862, a donation of land is made to the several States for the purpose of establishing colleges for the benefit of agricultural and mechanic arts.

Owing to the situation of public affairs, as connected with this State, no opportunity has been afforded by which it could signify its desire to accept the donation, according to the provisions of the act. Presuming, however, that Congress will extend the operation of the law to all the States, I advise such action on the part of the Legislature as will ensure, in such event, the benefits of the law to Texas.

#### UNITED STATES DIRECT TAX.

I have been officially informed by Robert K. Smith, President of the Board of United States Tax Commissioners for Texas, that the collection of the Direct Tax, levied by act of Congress of August 5th, 1861, and the amendments thereto, upon this State, has been suspended until the 1st January, 1863.

The time allowed will enable the Legislature, at its next regular session, to provide for the payment of the amount uncol-

lected, and to make proper adjustments in regard to that which has already been paid.

This is a measure of great relief, and will produce a good effect on the minds of the people. It gives an assurance that the authorities have a just regard for their distressed pecuniary condition, and I feel sure it will be properly appreciated by them.

#### PUBLICATION OF REPORTS OF PROVISIONAL OFFICERS.

I recommend that the report of the Provisional Comptroller of Public Accounts, and the reports of the several Asylums be printed.

I would also suggest the propriety of publishing the report of Mr. James H. Raymond to Governor Hamilton, who took possession of the public property, under an order from General Granger, and who turned the same over to the Provisional officers of the State. Mr. Raymond's report to Governor Hamilton, and the report of Messrs. Pease and Palm, and the Comptroller's report will give an account of the financial condition of the State, from the time the Provisional Government went into operation, until its close. The subjects of these several reports are of importance to the State, and should be published for information, as well as for preservation.

#### WEAPONS CARRIED ABOUT THE PERSON

The Bill of Rights says: "Every citizen shall have the right to keep and bear arms in the lawful defence of himself or the State." This is an invaluable right conferred by the Constitution upon the citizen, but it is one that is most wretchedly abused. While I would not seek to interfere with the right of the citizen, at all times, to bear arms in defence of himself, his property and the State, yet I do not conceive that it was intended by the Constitution to convey the idea that men and boys, vagabonds and vagrants, were to be licensed to have arms about their persons on all occasions. Such things are to be met with every day in the peaceful walks of life among the most quiet communities, at church and at the school house. A law prohibiting it might not be constitutional, and perhaps would not be proper, but it appears to me that a tax should be levied upon all pistols and weapons carried about the person, and the right given to the Assessor, upon failure to pay such license, to seize upon the arms and sell them for the taxes. Any person who felt constrained to wear a weapon, of this sort, for his per-

sonal protection, would not think it a hardship to pay the tax, and it would, perhaps, have the effect to prevent thoughtless youths and others who bear them for show or other purposes, to dispense with such useless ornaments. As a matter of course, such tax should not apply to persons living on the frontier or to travelers.

#### FEDERAL RELATIONS.

Since my regular communication to you, I have received the proclamation of the President in regard to the restoration of civil authority in the State of Texas, announcing "that peace, order, tranquility and civil authority, now exists in and throughout the whole of the United States of America." A copy of this proclamation I take great pleasure in laying before you.

The effect of this important Public Document, taken in connection with the other official acts which it recites, and to which it refers, is to declare that a state of peace exists throughout the Union, and that all acts and proclamations of the Government, whose operation was to cease upon the restoration of peace, are no longer of any force and effect; and that the rights of the citizen are hereafter to be determined by an appeal to the civil authority alone. The prompt issuance of this proclamation by the Chief Executive of the Nation, upon the receipt of the official intelligence of the installation of the civil officers of this State, chosen by the people, furnishes further proof of his confidence in our loyalty.

This confidence in the sincerity and honor of our people is not misplaced, I feel assured.

And in this connection, permit me to call your attention to the enclosed address and declaration of principles lately adopted by the delegates from every State in the Union of the National Union party, recently assembled at Philadelphia; received through the Hon. John Hancock, one of the Executive Committee. It has not been usual for the Executive of a State, heretofore, in an official communication, to call attention to the action of the Convention of any political party. On ordinary occasions, I should most certainly adhere to the established usage of my predecessors on the subject; but the assembling, after five years of fearful civil strife, of delegates from every section of the Union, selected for their eminent wisdom and patriotism, for the purpose of reuniting the nation once more, and healing the

wounds inflicted by the war, is an event so remarkable as to abundantly justify me in calling your attention officially to their action.

Their address and declaration of principles may be fitly called to your attention, in connection with the official declaration of the President, that peace exists throughout our land. It behooves us to meet these offers in a becoming spirit. Let us bury the past, and henceforth endeavor to move forward as one people in the onward path of progress and prosperity.

In laying these matters before you, I submit to your better judgment the propriety of such suitable legislative response as will indicate the devotion of our people to the Government.

J. W. THROCKMORTON.

Senator Jowers moved that the different portions of the message be referred to the appropriate committees, and that 1,500 copies in English, 250 in Spanish, and 250 copies in German, be printed.

The yeas and nays being called on the motion to print, stood thus:

YEAS—Senators Braswell, Boyd, Brown, Cook, Coppedge, Foscue, Jowers, Littleton, McDade, Parker, Randolph, Record, Saufley, Selman, Shannon, Shelley, Stell, Truitt and Yarbrow—18.

NAYS—Senators Blount, Bumpass, Burney, Cooley, Dalrymple, Guinn, Lane, Nelson, Neyland and Reed—11.

Motion carried.

Upon motion of Senator Saufley, the vote ordering the printing of the message was reconsidered.

Senator Dalrymple moved to amend by substituting 1,000 copies in English. Lost.

The yeas and nays being again called upon adoption of the original motion of Senator Burney, stood thus:

YEAS—Senators Burney, Cook, Coppedge, Foscue, Jowers, Knox, Littleton, McDade, Parker, Randolph, Selman, Shannon, Shelley, Stell and Truitt—15.

NAYS—Senators Blount, Boyd, Bumpass, Cooley, Dalrymple, Guinn, Nelson, Reed, Saufley and Yarbrow—10.

Motion to print prevailed.

Message from the House announcing the passage of the following bills:

“An Act declaring A. J. Davis and J. C. Davis citizens of Denton county.”

“An Act to incorporate the Dallas Manufacturing Company.”

Senator Stell offered the following joint resolution:

“Approving restoration policy of the President of the United

States, and also approving the action of the Philadelphia Convention." Read first time.

Read second time and referred to Committee on Federal Relations.

Senator McDade introduced a bill to be entitled "An Act to incorporate the Yegua Bridge Company."

Read first and second times and referred to Committee on Roads, Bridges and Ferries.

Message received from the House, announcing the passage by the House of a Senate bill transferring the estate of Allen Urquhart, deceased, from the County Court of Titus county to the County Court of Marion county.

Senator Yarbrow made the following report :

*Hon. Geo. W. Jones, President of the Senate:*

The Committee on Commerce and Manufactures, to whom was referred a bill to be entitled "An Act amendatory of and supplementary to an act entitled an act to incorporate the Jefferson Insurance Company," passed Jan. 7th, 1860, having had the same under consideration, a majority of the committee have instructed me to report the same back to the Senate and recommend the striking out of all after the fifth line in the 10th Section, and recommend the passage of the bill as amended ; all of which is respectfully submitted.

J. C. YARBROW, Chairman.

Senator Fosene introduced a bill donating lands to chartered Colleges and Universities on certain conditions.

Read first and second times, and referred to Committee on Education.

Senator Jowers introduced a bill further providing for the introduction of evidence in criminal cases.

Read first and second times, and referred to the Judiciary Committee.

Senator Reed introduced a bill to be entitled "An Act to incorporate the Western Texas Colonial Land and Emigration Company."

Read first time by caption, and referred to the Committee on State Affairs.

Senator Record, Chairman of the Judiciary Committee, made the following report :

*Hon. R. H. Guinn, President pro tem. of the Senate:*

The Committee on the Judiciary, to whom was referred a bill to be entitled "An Act to repeal certain Articles of the Penal Code," have had the same under consideration, and have instructed me to report that in the opinion of the committee all

those portions of the Penal Code and of the Code of Criminal Procedure, which make a distinction between white men and slaves, as to the grade of crime, or the degree of punishment therefor, should be repealed, and the laws so amended as to abolish any such distinction. The bill is therefore reported back to the Senate with the accompanying substitute; also, a bill to be entitled "An Act to amend an act entitled an act to establish a Code of Criminal Procedure for the State of Texas," and to repeal certain portions thereof, with the recommendation of the committee that the substitute be adopted and the bill passed.

J. K. P. RECORD, Chairman.

Received to come up in order.

Senator Record also reports as follows:

*Hon. R. H. Guinn, President pro tem. of the Senate:*

The Committee on the Judiciary, to whom was referred a bill to be entitled "An Act to repeal certain acts therein named," have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its passage.

J. K. P. RECORD, Chairman.

Received to come up in order.

Upon motion of Senator Jowers, the vote, referring the resolution, offered by Senator Cook, to the Committee on Freedmen, was reconsidered; and upon motion of Senator Shelley, the vote, adopting the resolution, was also reconsidered.

The resolution being again before the Senate, upon motion of Senator Cook, it was amended as follows:

Strike out the first two lines and substitute the following:

*Resolved*, The House of Representatives concurring, that a committee of two, upon the part of the Senate, and three, upon the part of the House, be appointed with instructions.

Resolution, as amended, adopted.

The President announced Senators Cook and Jowers as the committee on the part of the Senate.

Senator Shelley moved to reconsider the resolution. Carried.

Senator Jowers moved to reconsider the vote, referring Senator Cook's resolution to the Committee on Freedmen. Carried.

Senator Cook moved to amend as follows:

"And refer resolution to select joint committee." Carried.

Amendment to resolution—resolution as amended, adopted.

Upon motion of Senator Shelley, a bill to incorporate the Rio Grande Railroad Company, was taken up, read third time, and passed by the following two-thirds vote:

YEAS—Senators Braswell, Boyd, Brown, Bumpass, Cook, Cooley, Coppedge, Foscue, Guinn, Jowers, Lane, Littleton,

McDade, Nelson, Neyland, Parker, Randolph, Reed, Saufley, Selman, Shelley, Truitt and Yarbrow—23.

NAYS—None.

Senator Randolph offered the following resolution :

*Resolved*, That it is the sense of the Senate that the fees and salaries of all officers, which are fixed by the statute laws of this State, should be increased at least one-third, and should be paid in all cases in currency.

Postponed, and made the special order for Friday next, at 11 o'clock.

Question pending, when the Senate last adjourned, viz :

A bill to amend the 3d, 4th, 5th and 9th Sections of "An Act to authorize County Courts to grant a license for the retail of spirituous liquors, in quantities less than a quart, with an amendment by Senator Saufley, striking out \$400 in Section 4, and adding \$250, with an amendment by Senator Reed, to add the words "in specie, or its equivalent in currency;"

Taken up, and Senator Reed's amendment lost.

Question upon the adoption of Senator Saufley's amendment, the same was put, and amendment lost by the following vote :

YEAS—Senators Braswell, Brown, Cooley, Dalrymple, Littleton, McDade, Neyland, Parker, Randolph, Saufley, Selman, Truitt and Yarbrow—13.

NAYS—Senators Blount, Boyd, Bumpass, Cook, Coppedge, Foscoe, Guinn, Nelson, Record, Reed, Shelley and Stell—13.

On motion of Senator Nelson, the vote just taken was reconsidered by the following vote :

YEAS—Senators Braswell, Brown, Burney, Cooley, Dalrymple, Jowers, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Saufley, Selman, Stell and Truitt—16.

NAYS—Senators Blount, Boyd, Bumpass, Cook, Coppedge, Foscoe, Guinn, Record, Reed, Shannon, Shelley and Yarbrow—12.

Senator Parker proposed to strike out "400" and insert "300."

Senator Stell moved the main question.

On motion of Senator Bumpass, the call of the Senate was ordered.

Senator Neyland moved to adjourn until 8 o'clock, p. m. Lost.

Senator Neyland moved to adjourn until 10 o'clock, a. m., tomorrow. Lost.

Senator McDade moved to suspend the call. Lost.

A bill to amend "An Act concerning sequestrations, taken up, read, and on motion of Senator Dalrymple, postponed until next Monday, and 60 copies ordered to be printed.

The Senate being full, the call was suspended, and Senator Parker's amendment being divided, the amendment to strike out was put and lost.

The question then recurring on the engrossment of the bill, the Senate refused to engross it by the following vote :

YEAS—Senators Blount, Boyd, Bumpass, Cook, Coppedge, Foscue, Guinn, Nelson, Randolph, Record, Reed, Shannon, Shelley and Stell—14.

NAYS—Senators Braswell, Burney, Brown, Cooley, Dalrymple, Jowers, Knox, Lane, Littleton, McDade, Neyland, Parker, Saufley, Selman, Truitt and Yarbrow—16.

Senator Shelley moved to adjourn until 10 o'clock to-morrow.  
Lost.

A message was received from the House, informing the Senate that the House had passed a Senate bill allowing the Treasurer to employ an extra clerk for six months.

Senator Jowers moved to reconsider the vote, refusing to engross the bill allowing County Courts to grant license to sell spirituous liquors, &c. Carried.

Senator Stell moved to adjourn until 8 o'clock, p. m. Lost.

Senator Parker moved to strike out 400 from 4th Section, and insert 300. Carried.

Senator Cooley offered the following amendment :

Amend by striking out the words "three hundred dollars," in the Section, and inserting therefor the following: "Not less than fifty dollars nor more than four hundred dollars, as determined by the County Court."

Also, adding, Section 13: "It shall be the duty of the County Court, at its first term in each year, to determine, by order, entered on its minutes, the amount of license tax to be required under the provisions of this act; provided, the same shall not be fixed at less than fifty dollars nor more than four hundred dollars, and shall not be decreased during the term of one year after such order is made."

Lost, and bill as amended, ordered to be engrossed.

On motion of Senator McDade, the Senate adjourned until 9 o'clock to-morrow morning.

SENATE CHAMBER, }  
September 4, 1866. }

Senate met pursuant to adjournment. Prayer by the Chaplain. Roll called—quorum present. Journal of yesterday read and adopted.

S. J.—SIG. 8